APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,800	01/04/2002	Robert P. St. Pierre	16159.035001; P6566	6933

32615 7590 01/09/2007	EXAMINER	
OSHA LIANG L.L.P./SUN	GERGISO, TECHANE	
1221 MCKINNEY, SUITE 2800		
HOUSTON, TX 77010	ART UNIT	PAPER NUMBER
	2137	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/037,800	PIERRE ET AL.
	Examiner	**Art Unit**	
	Techane J. Gergiso T. G	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-11 and 30-37* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-10,30-33 and 36* is/are rejected.

7)☒ Claim(s) *4,9-11,34,35 and 37* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This is a Final Office Action in response to the applicant's amendments filed on October

18, 2006.

2.   The applicant amended independent claims 1 and 30.

3.   The examiner object claims 4, 9-11, 34, 35 and 37.

4.   Claims 1-4, 6-11, and 30-37 have been considered and are pending.

Response to Arguments

5.   Applicant's arguments filed on October 18, 2006 have been fully considered but they are

not persuasive.

In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e.,

" **routing the packet to a process within the recipient computer using a second**

address";

"routing the packet within the recipient computer using another address",

and

"routing of data within a computer one the data is received by the computer"

) are not recited in the rejected claim(s). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van*

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6.   Therefore, the applicant's arguments are not persuasive to overcome the prior art of

record and do not place independent claims 1 and 30 in condition for allowance. Dependant

claims 2-4, 6-11and 31-37; depending directly or indirectly from their corresponding

independent claims are also not placed in condition for allowance.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

8.   Claims 1-3, 6-10, 30-33 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Huitema et al. (US Pat. No.: 2002/0073215) in view of Godwin et al. (US Pub No.:

2002/00133608).

As per claim 1:

Huitema et al. disclose a method for conveying a security context, comprising:

issuing a first Internet Protocol version compliant packet, wherein the first Internet

Protocol version compliant packet comprises a first Internet Protocol version

compliant header, wherein the first Internet Protocol version compliant header

comprises a security context, wherein the security context comprises a Supernet

identifier, a Channel identifier, and the virtual address, and wherein data in a

payload of the first Internet Protocol version compliant packet is encrypted using

the Supernet identifier and the Channel identifier to obtain an encrypted payload

(Page 1: 0014; 0015; 0016; Figure 4 ; Page 1: 0014; 0015; 0016; Figure 4);

issuing a second Internet Protocol version compliant packet, wherein the second Internet

Protocol version compliant packet comprises a second Internet Protocol version

compliant header wherein the second Internet Protocol version compliant header

comprises a second Internet Protocol version compliant address the recipient

computer system, wherein a payload of the second Internet Protocol version

compliant packet comprises the first Internet Protocol version compliant packet,

and wherein the first Internet Protocol version is different from the second

Internet Protocol version (Page 1: 0014; 0015; 0016; Figure 4: 420; Page 2: 0005-

0006; Page 3: 0007); and

forwarding the second Internet Protocol version compliant packet to the recipient

computer system, wherein the security context is used by the recipient computer

to decrypt the encrypted payload (Page 1: 0014; 0015; 0016; Figure 4).

Huitema et al. do not explicitly disclose obtaining a virtual address associated with a

process executing on a recipient and first Internet Protocol comprising security context. Godwin

et al. in analogous art, however, disclose a virtual address associated with a process executing on

a recipient and first Internet Protocol comprising security context (Page 4: 0033, 0040, 0065,

0109).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Huitema et al. to include a virtual address associated with a process executing on a recipient and first Internet Protocol comprising security context. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a methods, systems and computer program products for providing Internet Protocol Security to a plurality of target hosts in a cluster of data processing systems which communicate with a network through a routing communication protocol stack utilizing a dynamically routable as suggested by Godwin et al. in (Page 4: 0033).

As per claim 2:

Huitema et al. disclose a method, wherein the first Internet Protocol version compliant packet is Internet Protocol version 6 compliant packet (Page 1: 0014; 0015; 0016; Figure 4).

As per claim 3:

Huitema et al. disclose a method, wherein the second Internet Protocol version compliant packet is Internet Protocol version 4 compliant packet (Page 1: 0014; 0015; 0016; Figure 4).

As per claim 30:

Huitema et al. disclose a method for processing a security context, comprising:

receiving a first Internet Protocol version compliant packet comprising a first Internet

Protocol version compliant header and a first Internet Protocol version compliant

payload, wherein the first Internet Protocol version compliant payload by a

second Internet Protocol version compliant packet, wherein the second Internet

Protocol version compliant packet comprises encrypted data and a second Internet

Protocol version compliant header comprising, a security context, wherein the

security context comprises a virtual address, a Supernet identifier, and a Channel

identifier (Page 1: 0014; 0015; 0016; Figure 4)

decrypting the encrypted data, by a recipient computer system, using the Supernet

identifier and Channel identifier to obtain decrypted data (Page 1: 0014; 0015;

0016; Figure 4); and

routing the decrypted data to a process in the recipient computer system using the virtual

address, wherein the first Internet Protocol version compliant header comprises a

first Internet Protocol version compliant address used to route the first Internet

Protocol version compliant packet to the recipient computer system   (Page 1:

0014; 0015; 0016; Figure 4).

Huitema et al. do not explicitly disclose extracting the encrypted data and the security

context from the first Internet and routing the decrypted data to a process in the recipient

computer system using the virtual address and decrypting the data. Godwin et al. in analogous

art, however, disclose extracting the encrypted data and the security context from the first

Internet and routing the decrypted data to a process in the recipient computer system using the

virtual address and decrypting the data (Page 4: 0033, 0040, 0065, 0109; Page 4: 0035; Page 9:0093).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Huitema et al. to include extracting the encrypted data and the security context from the first Internet and routing the decrypted data to a process in the recipient computer system using the virtual address and decrypting the data. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a methods, systems and computer program products for providing Internet Protocol Security to a plurality of target hosts in a cluster of data processing systems which communicate with a network through a routing communication protocol stack utilizing a dynamically routable as suggested by Godwin et al. in (Page 4: 0033).

As per claims 6 and 31:

Huitema et al. disclose a method, wherein the security context comprises a 128 bit unique value (Page 1:0003).

As per claims 7 and 32:

Neither Huitema et al. nor Godwin et al. explicitly teach that the security context comprised of a 16 bit set and a 112 bit set. However, using IPv6 packets, headers and addressing, it is obvious and very well known to those skilled in the art that the claimed bit

partition to be comprised of a 16 bit set and a 112 bit set value for an intended purpose as evident

in IPSec.

As per claims 8 and 33:

Neither Huitema et al. nor Godwin et al. explicitly teach that 16 bit set denotes a site

local Internet protocol address comprising 12 bits for an address prefix followed by 4 bits for a

zero value. However it is obvious and very well known to those skilled in the art that denoting a

16 bit set to a site Internet protocol address comprising 12 bits for an address prefix followed by

a b4 bit of a zero value for an intended purpose as it is evident in IPSec protocol.

As per claim 36:

The applicant of this application suggested that any packet management infrastructure

may be used, appreciated by those skilled in the art, to obtain security context from the stripped

packet using a handler mechanism (Page 9, Paragraph 0031). Therefore, it is obvious and very

well known to those skilled in the art that the security context is obtained from the stripped

packet using a handler mechanism.

Allowable Subject Matter

9.   Claims 4, 9-11, 34, 35 and 37 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

After reconsideration of the applicant's argument filed on October 18, 2006 and further search and through examination of the present application, claims 4, 9, 10, 34, 35 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The application provides a method and apparatus for conveying security context in virtual addressing information by defining multiple Channels in a Supernet and nodes can communicate with other nodes only if they belong to the same channel on the Supernet sharing the same key.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See the notice of reference cited in form PTO-892 for additional prior art

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Contact Information

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Techane J. Gergiso whose telephone number is (571) 272-3784.

The examiner can normally be reached on 9:00am - 6:00pm. If attempts to reach the examiner by

telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)

272-3865. The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
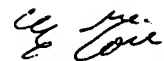
$T \cdot G$

Techane Gergiso

Patent Examiner

Art Unit 2137

January 3, 2007

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER